

QUID NOVI

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Faculté de Droit
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QUID NOVI

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IN THIS ISSUE...

3...How Dick Pound Cancelled
His Own Event

4...The Library Is Not Only
Falling Apart...

5...Why I LOVE Maple Syrup

5...Maple Syrup, Schmaple
Syrup

6...Colour Within The Lines

7...Easy, LSA, Easy

8...Market Mutterings

9...Pretentious BC Child...

9...A Modest Proposal

11...Scarecrow-Bogeypersons

12...The Regina Manifesto

12...Redefining the Issue...

13...That's Merry Christmas to
You, Friend

14...Obama's War of Ideas...

15...Thankfully I Am Not Prime
Minister

16...Chers condisciples du
droit

17...Quid List

18...Lawmerick

EDITORIAL

EAST SIDE, WADDUP?

by **RACHEL SÉVIGNY (LAW III)**
Co-Editor-in-Chief

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How Dick Pound Cancelled His Own Event

by LISSA GREENSPOON (LAW III)

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Mr. Pound's response to outrage over the racist comment was that the French term "pays de sauvage" is not derogatory, despite the fact that this term has been considered unacceptable in French for over 60 years. Not only is his assertion erroneous, therefore, but it is indicative of a complete abdication of responsibility for the hurt that his comment has caused to both Indigenous and non-Indigenous Canadians alike. Concern over his comment has not been limited to Aboriginal groups and a few concerned McGill law students; rather, it has evoked condemnation from numerous public figures. Indeed, immediately following the publication of Mr. Pound's statement, Gordon Campbell, premier of B.C., called for his resignation from the VANOC

Board of Directors because of his "disgraceful comment". I am certain that we would all agree that Gordon Campbell is no radical reactionary. I am simply attempting here to contextualize the reaction of many students in the law faculty to the news that Dick Pound would be speaking at a public forum organized by a law student group. The circumstances surrounding this event did not occur in a vacuum. Rather, they were part of a larger movement on the McGill campus, and even across Canada, to hold Dick Pound accountable for his offensive remarks. Currently, a number of law students are participating in a broader McGill campaign urging Mr. Pound to resign as Chancellor of McGill. They have written letters, attended protests, spoken with media outlets, and are even sitting down next week with Mr. Pound himself – at his own request – to discuss the campaign.

The students in question, and I was one of them, who wished to voice their concern over Mr. Pound's comments at the event organized by MESLA did not plan to "ruin", "undermine", or even "disrupt" the event. In fact, our planned "action" was blown completely out of proportion. We were not planning to come to the talk and pelt Mr. Pound with tomatoes or taunt him with names like "racist" or "savage". We are all reasonable and respectful people. What we planned to do was attend his talk, and ask questions about his com-

ments and his response to them in the designated question and answer period. Considering the national publicity this issue has garnered, it was almost certain that Mr. Pound was expecting at least a few questions about his comments. And, contrary to the allegations that we, as concerned students, ignored MESLA's attempts at communication, I would argue that the flurry of e-mails exchanged between me, other Radlaw members, and MESLA members still in my inbox tell a different story.

What I find most distressing about the debate around the MESLA speaker series and the right of students to question Dick Pound at a public event held on the university campus of which Mr. Pound is the Chancellor, is the assertion by MESLA that their event is not the place to voice these concerns. One argument was that Mr. Pound was asked to speak about "apolitical" issues relating to sports law and anti-doping policy, and therefore it would be inappropriate to question him about the entirely unrelated issue of his racist comments about Aboriginal people. When exactly would Mr. Pound be speaking at an event about either racism or Indigenous peoples in Canada? We will no doubt be waiting an awfully long time to voice our concerns if we must wait for such an "appropriate" opportunity!

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mentality remains firmly ingrained in many Canadian minds, and, it appears, in the minds of many students in our faculty.

Imagine how you might feel if you were an Indigenous law student at McGill and the student group inviting Mr. Pound to speak in the faculty claimed that it would rather cancel the event than have any law student publicly question Mr. Pound's comments? How would you feel if you were told that MESLA had chosen to remain silent in the face of racism because it is an "apolitical" organization?

Public figures in positions of authority are, and should always be, held to public account when they make offensive remarks. It is truly unfortunate for MESLA, after all their hard work in organizing this speaker series, that Dick Pound chose to make such racist and inflammatory comments prior to their event. But to condemn students simply for planning to speak up and question him in a public setting is to point a finger in the wrong direction. The only one responsible for the remarks that ultimately led to the regrettable cancellation of this event is Dick Pound himself.

Let us not forget what history has taught us about neutrality and silence in the face of hate. When we are confronted with racism and we remain silent, we are not merely being apolitical; we are tacitly endorsing such racism. And nothing can be more political than that.

The Library is Not Only Falling Apart but it is Infested

by ALEX BUZOIU (LAW III)

I never wrote in the Quid prior to this article. I write now because I would like some changes to take place. I have been here for 3 years. In these 3 years I have progressively seen an increase in the amount of SNAILS that study in the law library. This initially did not trouble me. I mean, considering how decrepit and poorly furnished (in light and in electrical outlets) the bunker library named McLennan is, I would also as an undergrad or grad student come study at the law library. However, this year things have changed. Now SNAILS not only invade during the exam period but also prior to the exam period. In the past 3 weeks I have often walked around the 3 and 4th floors for minutes before I could find a seat. Sometimes it was so packed with SNAILS that I had to go to the bunker and study! Oddly enough, except the part that is called the "Cybertheque," all the rest of that library is virtually empty. I mean, if McLennan were actually a decent library to study in, I would simply go there when SNAILS invade us and I would not care. But when I go study at McLennan because the law library

is full, I have to bring a lamp (because that place is like a cave) and I have to bring a power bar (because that place is like a third world country when it comes to the number of outlets). You would think that law students would not need to hunt for seats in their own library.

What is bothersome is the fact the Law Library is not

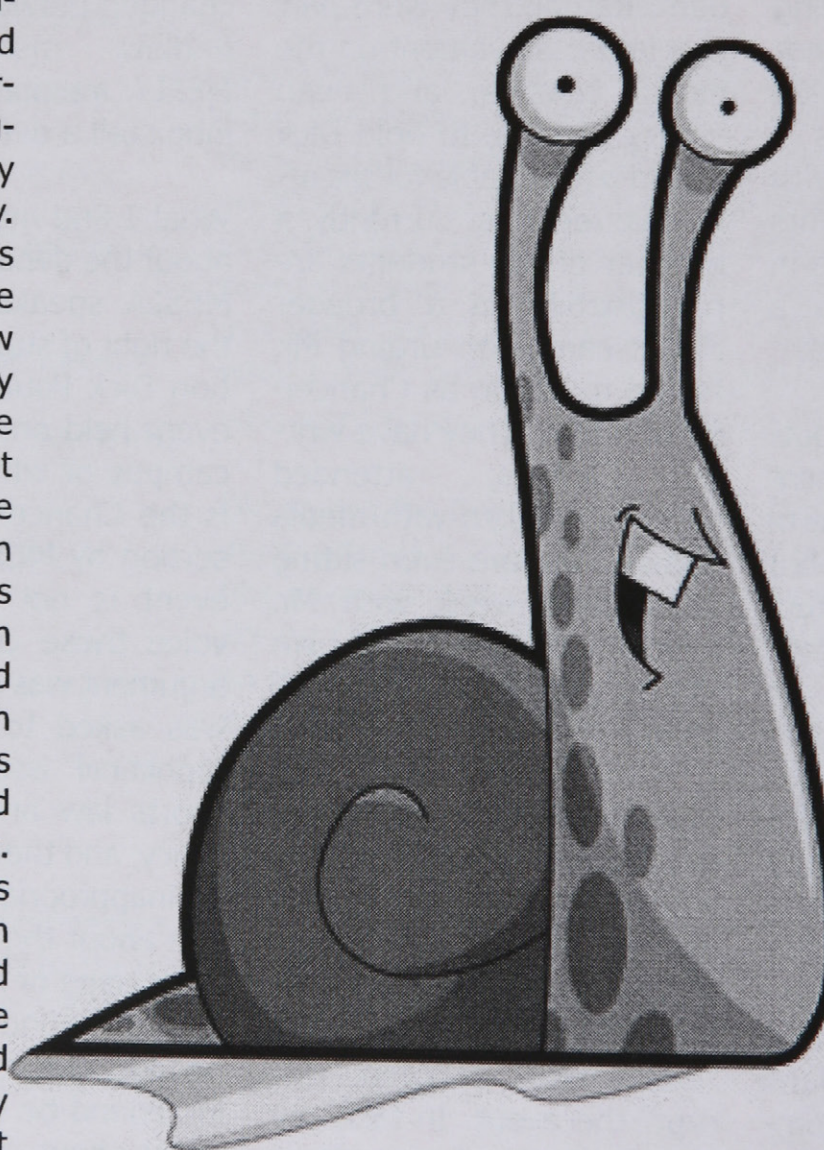
sources and tools that are available to them.

The second point of this little article is that the law library is slowly but surely falling apart. In my first year the place was beautiful. In my second year the place was still beautiful but you could see one or two broken lamps that were in pieces on the tables. Now in my third year, one table on the 4th floor

has no working lamps. Another table on the 4th floor has one of its four lamps broken, and three seats on the 3rd and 4th either have broken lamps or lamps that simply don't turn on. The reasons for these broken lamps may be diverse. The law library may be lacking in budget. Law students may be uncaring and accidentally or not may be breaking the lamps. The lamps may be poorly designed thus not resisting past X number of years or uses. However, due to the jump in broken lamps from last year to this year, and the exponential increase in

SNAILS from last year to this one, I (and perhaps wrongly so) am ready to bet it's due to SNAILS.

I hope some measures can be taken to reserve more seats for law students and fix the lamps before this place turns into McLennan.



just a McGill funded library; part of the funding comes from private donors. Because of these donations I do believe the faculty should take some measures to ensure that law students have sufficient room and a functioning environment in which they can use all the legal re-

Why I LOVE Maple Syrup!

by ALEXANDRE-KARI VENNER SHEE
LEPINE LEBLANC (and all the other last
names of my ancestors...) (LAW II)

This might seem quite random and maybe even useless to the simple eye, yet Maple Syrup has been under attack within this faculty... even blasphemously been compared to pancake syrup! It may be a cultural issue or simply one of taste, but the institution of Maple Syrup must be protected!

Firstly, I would like to press upon the fact that Aunt Jemima a.k.a "Sirop de Poteau" is not Maple Syrup! It is a by-product of too much sugar and contains nothing more than immediate satisfaction with little or no taste. In fact, this comparison is like saying boxed wine is the same as the bottle of wine your parents have been keeping in your cellar for that special moment when you finally stop going to school.

Secondly, Maple Syrup is one of only a few fleeting natural pleasures left in this world! Other than tanning in the sun, drinking fresh squeezed lemonade or eating a carrot, the good old days of nature seem to have left us... Not to say that cars aren't great, even though they destroy the planet, or that hormone-filled chickens aren't good – they even make you grow taller; but it seems that natural things aren't being appreciated as much any anymore. Oh the good old days... You see, Maple Syrup is one of those good old natural things that are good for your body as well as the taste buds. A natural way of sweetening up your day!

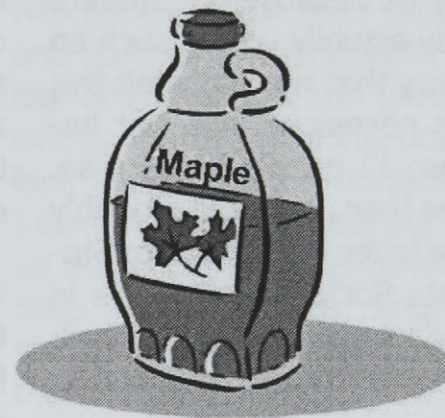
And finally, I just feel sad that the history of this great nation (Quebec or Canada) is being denigrated by these offensive comments. My ancestors, going back to the Acadians, were taught by the aboriginal peoples how to harvest this sweet elixir from the forests of this great land. Maple syrup has been used since those times to cover up or add taste to typical colonial dishes, to give energy to the loggers and to give hope to the newfound settlers. In fact, Maple Syrup may be one of the foundational building blocks of this country and the reason why we stayed!?! (It was and still is too cold...) To denigrate this medicine that healed the wounds of solitude and distance for these frontiersmen and generations after is to denigrate our founding fathers. But more than all this, simply ask yourself these two questions: Would you rather taste the goodness of a fellow countryman or the processed sugar lump of a multinational? Would you rather feed your children pride in their nation or encourage them to conform to the uniformity of globalization?

Take a step back. Don't hate, but rather, as I like to say: Appreciate! And next time you are in the grocery store, don't hesitate, walk past that fake stuff and get yourself some good old 100% premium quality fresh and natural Maple Syrup!

Maple Syrup, Schmaple Syrup

by TIM BOTTOMER (LAW II)

Maple syrup has to be the most-overrated condiment of all time (and yes, I'm aware of the existence of designer mustards). It's tree blood people, tree blood. What are we, a bunch of vegevampires, anxious to break our fast with a good dose of arboreal platelets, t-cells, and assorted hemoglobins? Do you remember when you were a kid and you were having a great time playing outside with your buddies and you got some sticky junk all over your hands? And you couldn't get it off with water or on your pant leg, it just stayed there collecting more and more dirt until your palm



and fingertips were laced with dried black crud? That was tree blood too, and now you're telling me that you want to put it on your pancakes? Are you crazy? Have you been to a cabane à sucre? Forget romantic images of burly men with enviable facial hair and carefree toques singing to entertain the mighty Clydesdales that pull their ever so picturesque sleighs while they collect quaint, ready-for-the-gift-

shop metal pails that gleam in that crisp winter sunlight while hanging from the trunk of a noble maple. That might once have been the case, but now they resemble Rube Goldberg inspired contraptions without the whimsy; great messes of surgical tubing and zap straps that wouldn't look out of place on the set of some Telefilm production of Frankenstein that transplants the good doctor from the Alps to Quebec's version of cottage country. Tubed together with their life essence being drained for the kilojoule requirements of their enslavers, the forests are reminiscent of nothing so much as that scene in the Matrix when Neo sees all of humanity lying in pods serving as robotic AAs. Again, you plan to put this stuff on your children's pancakes; the ones you make on their birthday in that special mold that makes the pancake look like a dinosaur? Not in my house. Those aboriginals weren't doing your ancestors a favour Alex, they were enjoying a rousing game of "I'll give you \$10 if you can get him to eat this."

What's not tree blood? Aunt Jemima pancake syrup. That stuff is basically liquid candy, which is awesome. Do you like candy? Do you like liquids? If yes (and who doesn't), you'd like Aunt Jemima.

COLOUR WITHIN THE LINES

by STEPHANIE MCKINNON (LAW II)

Last Monday our LSA passed a motion to send a letter to the Principal and Vice-Principals of Queen's University on our behalf. This letter is in regard to the recent events in Kingston and at Queen's campus itself. While there's no doubt these events were sad and surprising, this article isn't intended to spark an "Are you an Islamophobe? Check yes or no" debate. I think we can all agree that racism and sexual harassment are bad, and acceptance and equality are good.

However, I do not think that the LSA sending a letter to the Queen's University administration is a particularly appropriate response. Although I understand that the media has not raised quite the uproar that some students would have wanted, I don't know that a letter from a relatively small (compared to Arts and Sciences) faculty student group from a different university is necessarily going to light the fire under the Queen's administrators that the LSA hopes/thinks that it will.

But moreover, I don't know that it's any of the LSA's business. I certainly didn't expect, when I voted for those few contested positions, that the LSA would take such unilateral action. I recognize that I empowered them to represent and develop my political interests, but I assumed that they would have been reasonably confined to the SSMU and the McGill administration (silly me). Had they felt our own administration should adopt the CFS suggestions and wrote a letter to our own administration or to SSMU,

that would be quite a different story. But to have the audacity to chastise a University that most of us (excepting the people who actually did their undergrad there) know very little about seems to me to be well beyond the bounds of the LSA's mandate and frankly, fairly arrogant.

For the most part, our LSA has done a great job. It's a lot of under-appreciated work for students who, occasionally, badly mistreat their representatives. In this particular respect, I think they've made a mistake in passing such a motion without at least consulting the student body as a whole. If they're sending this letter to another university's administration on behalf of a "large number" of "appalled" students, I think it should probably be because the student body actually voiced such an outcry that we really felt this was necessary, not just because 11 people thought so. Even then, it should probably be a letter to the Muslim Students Society at Queen's in solidarity, not a condescending note to the Principal.

The minutes of the LSA are public under By-Law 6.7 so I've included the letter they're sending. Please take a moment to read it:

"Letter condemning anti-Muslim attacks at Queens University

Dr. Thomas R. Williams, Principal & Vice-Chancellor

Dr. Jason Laker, Associate Vice-Principal & Dean of Student Affairs

Dr. Patrick Deane, Vice-Principal (Academic)
Queen's University

Kingston, ON K7L 3N6

Dear Principal Williams Vice-Principal Deane and Dean Laker,

We are a large group of concerned Canadian students who were appalled to learn of the numerous Islamophobic incidents that have been occurring on the Queen's University campus over the past several weeks.

Recent acts, including the sexual harassment of hijab-wearing female students, graffiti stating "Queen's University Muslims Should Die" on campus property and the most recent violent attempts to break in to the Muslim prayer space, are indicative of a climate of intolerance on Queen's campus. These prejudiced attitudes toward Muslims, while troubling in any context, are particularly shocking when they occur on a university campus, a place that is meant to be a bastion of tolerance and diversity.

While we have no doubt that the Queen's administration is taking these incidents seriously, we are particularly concerned by their violent nature. It is up to the administration to do more to counter intolerant attitudes on the part of students and faculty, and to foster a climate of acceptance and security for everyone on campus. The administration should respond immediately to future (and current) acts by stating clearly that these actions will not be tolerated in the university, and that a strict course of action will be taken against anyone engaging in racist activities on campus. A strong response

by Queen's University will do much to send a signal to university communities across Canada that such acts are unacceptable.

It is up to the Queen's administration to take an active role in eradicating racism from the university campus. The administration could take action by organizing anti-racism campaigns, sponsored and run by the university.

In March 2007, the Canadian Federation of Students released a report that addresses the needs and concerns of Muslim students on university campuses across Ontario.¹ Some of the suggestions contained in the report for addressing Islamophobia and its consequences are presented below. We strongly urge the Queen's administration to adopt them. Suggestions include the following:

- Developing training modules on Islamophobia for campus security and maintenance staff. Islamophobic graffiti, for example, should be removed only after it has been properly documented by security staff.
- Developing a module for all sensitivity and multi-cultural training programs received by the administration and student leaders that includes information on Islamophobia and its consequences on students' academic performance and general life on campus.
- Convening meetings among relevant administrators, students' unions, Muslim students' associations, faculty associations, and the campus media to recognize the collective responsibility to iden-

tify and stop Islamophobia and racism on campus.

- In consultation with students, developing an institutional response to Islamophobia and a plan to streamline, and make more effective, reporting mechanisms for Islamophobic acts.

- Encouraging students who have experienced Islamophobic and racist acts to immediately register complaints with the appropriate campus office (security, equity services, ombuds etc.) and the relevant human rights commission.

These are but a few policies that the Queen's administration can adopt to demonstrate its commitment to eradicating hatred on campus and to show solidarity with and support for its Muslim students. The administration's verbal condemnation is insufficient in relation to the severity of these acts. Muslim students, like all students, have a right to a secure and welcoming learning environment, and this includes the right to expect

that the Queen's administration will implement policies that actively counter hatred on campus.

Islamophobia is a problem for all Canadians, both Muslim and non-Muslim, as it reveals a fear of difference and diversity in our society. Our society collectively suffers when Muslims are the targets of hateful attacks and harassment. Moreover, Canadian university campuses serve as a de facto ambassador to the international community. Any act of xenophobia at a Canadian university reflects poorly on our country. We are not a country of bigots and racists; let us declare this loudly by condemning these hateful acts and taking steps to ensure that this never happens again. We stand in solidarity with our Muslim brothers and sisters and urge the administration of Queen's University to do more than verbally condemn individual acts, and commit through action to abolishing hatred on campus. Please take an active stance against Islamophobia at Queen's."

EASY, LSA. EASY.

by BRYANA JENSEN (LAW II)

This Monday, our LSA Council voted to write to Queen's administration as a result of recent incidents in the Queen's community concerning Muslim students. Each of these events is unquestionably offensive: one involved a facebook comment, another a comment made to a pedestrian female student wearing a hijab, and the final affecting the Muslim prayer space: a theft/break-in and an incidence of graffiti that was arguably a hate crime. The facebook comment has been removed, extensive apologies have been made, the

Human Rights office consulted. Security is investigating the break-in and graffiti, and is considering installing cameras and/or moving the prayer space.

No one is saying that the events at Queen's were okay. Let's not let the debate sink to that point: we are an intelligent, sensitized group of people who are capable of approaching issues in a nuanced way. But unfortunately, offensive things happen. Here, in Kingston, and elsewhere. And while I am not saying that such events should be written off,

I do think we need to consider what our objectives are in responding and whether our actions facilitate the achievement of these goals.

The letter to Queen's administration is inappropriate on a number of levels, principally that it oversteps the LSA Council's mandate, and that it demonstrates an attitude of superiority that will go nowhere in addressing the issue at hand.

Others have dealt with the "mandate" issues and I don't need to dwell on it. I will however state the following clearly: I have tremendous respect for the members of the LSA, many of whom I consider to be close friends, but we did not elect them to be our political representatives, particularly not outside of the McGill community. (For evidence of this, you need only consider the "platforms" they put forward, which focused on their skills and abilities to work on behalf of students to run great events, gain sponsorship dollars, facilitate club activities. I stand to be corrected, but I do not recall a single candidate articulating a single stance on a political issue that I had the chance to consider and either get behind, by voting for them, or reject, by not. I think it's somewhat disingenuous to now be suggesting that the LSA has this role.) The letter being sent purports to speak on behalf of a "large number of students" – as I understand it, 11 people voted in favour of this letter. McGill law students did not delegate the making of political statements to the LSA.

Queen's is not a perfect place, far from it. It has much to learn about diversity and inclusiveness. But just like most issues, the reality

and its causes are far more complex than I suggest most members of the LSA are aware of. In sending this letter, we are showing disrespect for Queen's administration, presuming that they are not taking this action seriously, and making the leap that these events are demonstrative of a "culture of intolerance", which as a Queen's alumni I find highly offensive. Who is the McGill LSA to say that Queen's is evidently fostering a "climate of intolerance"? And if it wants to go ahead and say that, then please sign the letter as individuals – I want no part in it.

Let's talk about what would have been appropriate, perhaps even commendable: writing to the AMS (Queen's Alma Mater Society – the SSMU equivalent), or the LSA-body of Queen's to offer solidarity and support on working together to ensure open, diverse and accepting university campuses. Discriminatory, intolerant views exist. We need to work against them. As I said, these events are troubling. But a group of law students from a rival university scolding Queen's administration in a patronizing way is hardly going to bring about the kind of change or response we would hope to see. Instead, why wouldn't we contact another student group and say, "Hey, it seems like there's a problem here. We want you to know that we are committed to working against discrimination and intolerance, and offer our support to you in any way we can as you work on this issue too." Working together, giving our peers a little bit more credit, and trying to actually make something positive happen? There's an idea.

Market Mutterings

by JER LEWSAW (LAW I)

There are some fairly graphic measures out there which demonstrate just how challenging a time is at hand for global capitalism. While dire growth reports from the IMF and photo-op heavy meetings of the G20 are the most obvious signs that there's something wrong in the neighbourhood however, in scratching the surface one can often find data which are even more frightening.

The data that worry me the most, unsurprisingly perhaps, involve something entirely uncomplicated. Global shipping and transport is one of those ugly and smelly realities that one might be forgiven for having thought would have disappeared sometime during the dot.com bubble. Large and unsightly ships loaded and unloaded by large unshaven men at docks near and far have stubbornly resisted consignment to a less-hip era of the capitalist age. The glory of the modern era owes much if not all to freer trade across international borders, and these ships are the movement's silent, unwashed missionaries.

There are a few indicators that the arteries of global capitalism are becoming clogged. Among the most notable is something called the Baltic Dry Index. In case you're looking for a new homepage to replace that of the Hall & Oates fancentre: (<http://www.bloomberg.com/apps/quote?ticker=BDIY%3AIND>). This wonderful chart (yes, such things exist) demonstrates the average

cost of shipping basic commodities from one polluted dank harbor to another. The cost for doing so is at its lowest point in 6 years, and this is a clear sign that shipping companies are in a rather awful way. Many are simply leaving their ships docked rather than soak up losses. The largest of ships, called 'Capesize' vessels, which cost

chase insurance to cover themselves in the event that one of their international partners (supplier or buyer) goes bankrupt prior to the completion of a trade. The cost of this insurance has risen to the point where many banks have refused to provide any insurance at all to smaller companies, thereby essentially dooming



approximately \$230,000 per day to hire in June, today costs only around \$4,000. No typo. As law students, we can imagine how contract breaches might skyrocket in an environment with such an enormous price drop, and how our future services will be called upon.

Another cause for concern is the rising cost of a crucial type of commercial insurance called trade credit protection. This is where companies pur-

them to failure since most will be unable to find business partners without insurance. The demise of many of these smaller companies would represent a serious blow to global efficiency and competitiveness.

In such a climate, it is incredibly frustrating to watch as pirates off the coast of Somalia (a country rarely discussed by western anarchists but which I assume must serve as a model for their

movement) continue to harass ships attempting to pass through this vital shipping route. Costs of shipping and insurance are therefore placed under even further strain. News that the Indian navy had sunk one of the pirate vessels on November 19 is welcomed, particularly as it follows the capture earlier that week of an enormous Saudi Arabian oil tanker, a coup which surely netted some pirates a large ransom which they will no doubt use to rearm for their next capture.

A global effort to remediate the threats to the free flow of goods and services is required. This would be a rare example of an intelligent way for government to invest in the private sector. To this point in the current recessionary period, one of the few positive signs has been the refusal of most political leaders (with the unfortunate exceptions of Barack Obama and Hilary Clinton) to call for increased trade restrictions as a way to boost their domestic economies. Since the best way out of this downturn however is more trade and competition, not less, the relative lack of concerted focus on providing legislative, military, and financial support for the international shipping industries area is inexcusable.

PRETENTIOUS BC CHILD OFFERED ADMISSION BY MCGILL LAW

by WILLIAM BROUGH (LAW V)

ESSERTON, British Columbia, November 17

In an unprecedented move last week, McGill's Faculty of Law Admissions Committee (FLAC) made a pre-offer of admission to an 11-year-old boy, to come into effect upon his reaching the appropriate age. The extremely unusual offer was made after FLAC members began to hear about the extraordinary pretentiousness of the sixth grader, Charlie Simms.

"The way things are these days, we have to be thinking this far in advance – it's an investment in the future of the faculty," noted one FLAC member who wished to remain anonymous. "At the moment McGill Law may have an edge in pretentiousness over other Canadian

universities, but it's an extremely competitive field. Faculty members have noticed a very disturbing trend in recent years – that with every new class of pretentious students come several well-grounded individuals who have somehow slipped through the admissions process, and who drag down our overall pretentiousness numbers."

To combat this slippage, the FLAC has taken a proactive approach, seeking out the most pretentious potential students by taking out ads in *The Economist* and *The Wall Street Journal*. When young Charlie Simms began making pretentious waves, the FLAC wanted to be the first law program on the scene.

Charlie's gift for pretentiousness was first noted by his

teachers when, at age 6, he labelled a urinal at his school "Fountain," and several thirsty classmates were hospitalised with peritonitis as a result. From this humble beginning, Charlie has gone on to describe *Green Eggs and Ham* as "Kafkaesque," and demand that his school cafeteria stock arugula. He has also begun a campaign to rid classrooms of non-organic free-trade chalk.

Attempts to call Charlie for comment were unsuccessful, possibly because (as rumour has it) he has downloaded an app on his iPhone 3G which blocks all calls not originating from another iPhone 3G. However, the *Esserton Mirror* managed to catch up with Charlie at an art house film festival screening of Akira Kurosawa's little-

There is a (partial) solution to this problem: the market. Now, markets have been getting a bad rep of late, but we'll let Jer Lewsaw, Alan Greenspan, and Naomi Klein get in an intellectual punch-up about that whole debacle. The type of market we're concerned with is much smaller, simpler, and more effective. It is based on two principles: (1) people do not value things provided for free, and (2) people should think before they open their mouths in class.

The first principle is fairly well-established. We need look no farther than this very Faculty when the Career Day gravy-train comes to town in January and February. USB keys, faux leather covered binders, iPod speakers, water

known adaptation of James Joyce's *Ulysses*. In a quote worthy of a law student speaking in class, Charlie said he felt "a juxtaposition of discourses reminiscent of the poems of Pablo Neruda. How can one express the multi-structured inner conflict of id and ego when confronted with such an existential terminus?"

When prompted with Charlie's response, the anonymous FLAC member paused, and then said, "I agree completely." Though it is unknown whether McGill Law's future level of pretentiousness will be bolstered by this child prodigy or not, in the meantime, as the FLAC member concludes, "we'll definitely save him a spot writing for the *Quid*."

bottles, candy, post-it notes, highlighters, and laminated copies of the Canadian Charter of Rights and Freedoms abound, and most of it is wasted. Stuffed into bizarrely thin lockers and ruined weeks later by wet boots. Garbaged at the end of the year after being forgotten about in a desk drawer. Deposited in assorted distant relatives' stockings the next Christmas to be taken out with contrived glee and put into yet another desk drawer. Why do we do this? Because we got it for free. If you bought a USB key from Future Shop you'd take care of it because you'd have invested \$9-30. But if you have one from each of the Seven Sisters then you don't really care unless your friend put the latest Gossip Girl on it for

A Modest Proposal:

by TIM BOTTOMER (LAW II)

Let's be honest: listening to other people talk in class sucks. Occasionally they ask something you were wondering about, but most of the time you already know the answer or don't care because you know that, if the prof didn't think it was worth bringing up in class, they probably don't think it's worth examining you on. Worse, is when there isn't a question. Frankly, most of us are in law school to learn from professors, not each other. We're not interested in your view on the Charter, we're interested in the Supreme Court's view on the Charter. Because that's what

matters. We are interested in the views of our classmates about things like politics and culture outside of class, where one is endlessly impressed by the depth of expertise present in our faculty, but this does not come out in class when we're all learning about promissory estoppel for the first time. The absolute worst is when the question/comment/interruption takes the form of an extended anecdote about an unrelated personal/apocryphal/"my cousin's friend's brother had a barber who said that his son" type anecdote.

you. You can always get another one. And the same is true of questions. You have an unlimited supply, so why not throw your hand up?

The second principle was largely covered by the intro. I am not claiming that there are no legitimate questions in class or that students shouldn't have a right to speak, we are claiming that people should not do so willy-nilly, because frankly this right is exercised irresponsibly most of the time. If you have a personal question or issue or would like to discuss a related matter or an amusing anecdote with the prof – that's what office hours and e-mails are for. This obviously does not apply to seminar classes, designed for discussion. They also feature only a dozen people or so. Despite the best of intentions, 35 to 60-person classes cannot and should not be taught on a discussion basis. Such attempts result in 2 or 3 people providing most of the commentary, another 5-6 contributing occasionally, and everyone else looking at the latest Halloween photos on Facebook. Teach it as a lecture. We're far more interested in what you have to say than what our colleagues do. Class questions should be limited to the material at hand or questions that the reasonable law student would view as being of general import.

Based on those two principles I have a modest proposal, inspired in part by the Wharton School of Business' auction system for course selections. In brief, each student would receive a number of plastic chits per term, each entitling the bearer to ask one question or make one comment. No chit, no

question. Chits are freely transferable on a gratuitous or onerous basis, so once you run out you have to decide, "how much is this question worth to me?"

The formula for allocating chits is based on each individual student's schedule and on a ratio of six questions per class hour as a reasonable total. The total number of possible questions is divided by the number of students in the class, rounding down.

For example, the typical three credit course consists of 39 class hours. There are thus 234 (6 x 39) questions available. If there are 45 students registered in the course then each student gets five chits ($234 / 45 = 5.2 = 5$) as a result of being registered in the course.

This analysis is conducted for each class the student is registered for during that term and the student's total is the sum of all their classes combined.

For example, if a first year student received one chit for Legal Meth, 4 for Foundations, 4 for Contracts, 5 for Torts, 5 for CVL Prop, and 3 for Constitutional, then they would have a total of 21 chits ($4+4+5+5+3$).

One chit is released for each course the student is registered in on the first day of class, with the remainder being available for pick-up at the SAO after the add-drop date. While chits are determined on an individual class basis, they can be used in any class. As mentioned previously, chits are transferable. So a person can ask as many questions in class as they like, but after a certain

point they have to pay for the privilege or convince their friends and neighbours that their question is pertinent enough to warrant the donation of a chit.

The beauty of the system is that it can be easily adjusted each term and the data is readily available – number of chits being used and the market price. If the opinion of the administration/student body is that too few questions are being asked to the detriment of learning, inject more chits into the system. If too many, take chits out. Adjust as necessary to arrive at the desired number of questions. As a nominal optimal price point we would suggest \$10. This would obviously vary over the term, but likely in beneficial ways. As chits cannot be carried over to the next term, as exams and their associated review sessions got closer, the use rate would probably increase and the price drop as students who had been hoarding chits realize the necessity of using it or losing it. Prices would probably be close to the optimal point early in the term, higher in the mid-term as many students continue to save while others run out and seek more, and lowest right before exams – if the system is balanced correctly, which should not be difficult to do.

Other random issues:

Classes with 15 or less people do not require chits and their class hours will not be used in determining a student's total.

If your chits are stolen, perhaps when your backpack was jacked, then you present a police report to the SAO where they will take you at

your word on the number of chits that were lost.

If you lose your chits, too bad. You can buy some more and are encouraged to take better care of them in the future.

So there you go. Obviously it would be quite the change and require a modicum of administrative work, but the next time you're sitting in the Moot Court listening to some guy interrupt the professor for the fifth time that class so he can relate the story of "this one time when he was arrested", just think to yourself, "I could be getting paid for this".

Random Empirical Data:

In a recent 90 minute class that dragged quite a bit, there were 27 questions/comments asked/made by only 7 different people. Do you really think that 18 (or more) of those questions would have been missed?

Scarecrow-bogeypersons

by YESSE GUTMAN (LAW I)

Next week Supreme Court Justice Binnie will regale the faculty on the subject of civil liberties and the legacy of F.R. Scott. What is that legacy? Is it that all first years must watch the "F.R. Scott biopic" and hear his praises sung ad nauseam?

From the definition offered by Quid staff writers, Scott would be considered a "radical". As a prominent drafter of the Regina Manifesto (1933), Scott called for the explicit overthrow of capitalist structures in favour of a socialist state. Despite his 'eccentricities', Scott still remains one of the good ol' boys.

Blend this with historical memory and advertising gloss. We don't exactly liken McGill's Redmen with the 'red army' or the 'red scare' in promotional material (though there are links, ask your librarian). Making things look nice is more than a hobby; it's an occupation, and at times, a perversion. The practice of 'selecting information' or, less euphemistically, peddling misinformation, defines personal and political self-representation. More frightfully, it enters into debates and public discourse.

But what would F.R. Scott say about Dick Pound's comments and the ensuing debate within our law faculty? For this, we ought to consider the soldiers of disinformation: the strawman, the bogeyman, and the most (in)famous Dick on campus.

In many ways, the debate

has been characterized by the Halloween fervour from which it arose. The fusion of these two, the menacing *scarecrow bogeyman*, lives in this very law faculty: pictured in the 1937 class photo (on the stairwell leading to the student lounge) and resurrected within spurious arguments and bogus claims.



My favourite source, the Wiktionary, defines the strawman as: "*an argument, deliberately set up weakly supported, so that it can be easily knocked down; especially to impugn the strength of any related thing or idea.*" This is a common device of sophists and rhetoricians. When you don't like the argument of your adversary, create one yourself!

But in sooth, fun and games end when the bogeyman enters the playground. A bogeyman, the wiki continues, is "*any make-believe threat, especially one used to intimidate or distract.*" Ask your parents about the cold war, and they will tell you about the communist bogeyman.

The international socialist conspiracy point has been another favourite phantom of all those intent on maligning clear discussion.

Together they form a noxious effigy, the *scarecrow bogeyman*. Scarecrow bogeyman doesn't rely on facts and is wily. Scarecrow bogeyman is megalomaniac and narcissistic. Scarecrow bogeyman uses ad hominem attacks. This S-B is anti-social and plots to overthrow everything and anything. Did I mention this S-B is a real mean dude?

Let's break it down for all the F.R. Scott wannabes, dicks, and scarecrowbogeypersons among us. 1) Radlaw never took any position regarding Dick Pound. 2) Some affiliated with Radlaw intended to participate in the conference and ask questions. Questions! Not exactly the October Revolution (trick or treat?)!

Now how has this been characterized? Among other things, as "denigrating, derailling, steamrolling, sabotaging." Next time you enter into conversation with a scarecrow-bogeyman wizard, please use my secret formula: ask for an example. There are none. This idea waxes conjecture.

Constructing scarecrow-bogeyperson label is an affront to free speech in the faculty. Dissent within any community needs to be encouraged, not just tolerated – and surely not misconstrued as a McCarthyist trope. At McGill, we know the dastardly ef-

fects of that kind of thinking – take a study break stroll to the Allan Memorial and ask about MK-Ultra. So no lectures on radicalism, please. Literally, let's drop the fluff (excess) letters: this is really about ... ra--c--ism.

Now that we have passed the sugar haze of Halloween into the sobriety of exam period, let's get rational and juridical. Personal exasperation – while legitimate and unfortunate – is both obiter and mutual. The controversy is about ongoing institutional racism and the nefarious legacy of the doctrine of *terra nullius*. In the spirit of post-Hallow reformation, we must exorcise the banshee. To ensure remembering Scott doesn't become empty adulation, our prerogative should be listening and questioning – not Radlaw-baiting.

Post Scriptum: Haughty is the new Naughty.



In preparation for Binnie's Lecture:

The Regina Manifesto

Adopted at First National Convention Held at Regina, Saskatchewan, July, 1933.

The CCF is a federation of organizations whose purpose is the establishment in Canada of a Co-operative Commonwealth in which the principle regulating production, distribution and exchange will be the supplying of human needs and not the making of profits.

We aim to replace the present capitalist system, with its inherent injustice and inhumanity, by a social order from which the domination

and exploitation of one class by another will be eliminated, in which economic planning will supersede unregulated private enterprise and competition, and in which genuine democratic self-government, based upon economic equality will be possible. The present order is marked by glaring inequalities of wealth and opportunity, by chaotic waste and instability; and in an age of plenty it condemns the great mass of the people to

poverty and insecurity. Power has become more and more concentrated into the hands of a small irresponsible minority of financiers and industrialists and to their predatory interests the majority are habitually sacrificed. When private profit is the main stimulus to economic effort, our society oscillates between periods of feverish prosperity in which the main benefits go to speculators and profiteers, and of catastrophic depression, in

which the common man's normal state of insecurity and hardship is accentuated. We believe that these evils can be removed only in a planned and socialized economy in which our natural resources and principal means of production and distribution are owned, controlled and operated by the people.

The new social order at which we aim is not one in which individuality will be crushed out by a system of regimentation. Nor shall we interfere with cultural rights of racial or religious minorities. What we seek is a proper collective organization of our economic resources such as will make possible a much greater degree of leisure and a much richer individual life for every citizen.

Redefining the issue: reducing racism to student politics

By STAVROULA PAPADOPOULOS (LAW II)

While reading Marianne Knai's article "Redefining Radicalism" in the Quid Novi two issues ago, I noticed how easily we lose sight of what actually matters in a debate. In fact, most articles referring to Dick Pound's comments that have since been published in the Quid focussed exclusively on how non-Aboriginal law students were affected, or how Pound himself was victimized. I think that reducing the repercussions and implications of Pound's comment to student politics is dismissive of those directly affected by them, namely the Aboriginal community.

All law students surely realize that it is possible to argue both sides of any contro-

versy. We can often justify the unjustifiable by redefining words, changing their connotations, or by finding new victims and redirecting the issue. The only thing I found more disturbing than Pound's comments was the fact that their racist nature was open to debate. This pseudo-debate is symptomatic of the marginalization of Aboriginal people. We have grown so accustomed to the discrimination against them that fail to take notice of it. What if Pound had said: we must not forget that, 400 years ago, women were uncivilized while men have always been sophisticated? Or what if he had said that, during the slave trade, Africans were a bunch of savages? How many articles would

have been written supporting those statements and redefining "uncivilized" and "savages" as neutral terms?

In essence, Pound's comments imply that Aboriginal people had no culture or civilization. This may have been unintentional and I believe there is room for forgiveness, but Pound's apology falls very short. Pound states that "un pays de sauvages" has "fallen out of favour now and [he] probably should have been more alert to the change in vocabulary." Although it was common for the Jesuits to describe First Nations people as "un pays de sauvages," doing so was just as racist then as it is now. The problem is not that the term has fallen out of

favour; the problem is the perception of First Nations people as inferior which allowed for the term to be used in the first place.

Many anthropologists and archaeologists have debunked the myth of "un pays de sauvages" (see for instance: "1491: New Revelations of the Americas Before Columbus," by Charles Mann). To continue to make comments which imply that Europeans settled an uninhabited wilderness or terra nullius is both ignorant and derogatory. There is something fundamentally racist about imposing a Eurocentric notion of civilization onto other cultures. Why were the boots worn by Europeans more sophisticated than moccasins? How can we claim to be objective in categorically stating that European technologies were superior to Aboriginal technologies when the English sailor John Smith noted that their guns

could not shoot as far as an arrow could fly? Different cultures have adapted to their socio-economic and environmental realities in different ways, without one culture being superior to the other.

Pound's comments were also problematic because they were made in response to whether the Olympic Games should have been staged in China despite its poor human rights record. Using China's "5,000-year-old civilization" as a defence for human rights violations is a dangerous way of reasoning, partic-

ularly when considering that residential schools were created in an effort to "civilize" First Nations people. In fact, in their efforts to spread civilization, European practices in the Americas lead to what Dr. David Stannard has called "the most massive act of genocide in the history of the world." The Truth Commission into Genocide in Canada has called residential schools "the death camps of the Canadian Holocaust, and within their walls nearly one-half of all aboriginal children sent there by law died, or disappeared, according to the government's own statis-

tics." With the last residential school closing only ten years ago, reconciliation efforts are still precarious. Referring to the victims' ancestors as "savages" demeans their heritage and identity and adds insult to injury.

Placing the comments within the broader Canadian context, it is not surprising that B.C. Premier Gordon Campbell had originally called for Pound's resignation from the board governing the 2010 Winter Olympics. Some members of the McGill community have asked Pound to resign from his position as

Chancellor of the university. In her article, Knai speaks greatly about student solidarity, saying Radlaw members lacked such solidarity when dealing with MESLA. But solidarity goes beyond patting a fellow student on the back. What about solidarity with Aboriginal students and the Aboriginal community at large? Solidarity sometimes requires putting aside individual desires and short-term goals and seeing beyond personal comfort. Solidarity is about coming together to stand for the rights of all people, even if the "war" isn't really ours.

That's Merry Christmas to you, friend.

by JOHN LOFRANCO (LAW II)

The Christmas season is almost upon us. But say that to some people, and you'll probably be met with condescending glowers and a holier than thou (or is that unholy than thou) correction: "holiday season." I am not an adherent to any major world religion anymore, though culturally, I remain a Christian. I am what they call a C&E Catholic (Christmas and Easter), and to be honest, there's not much Easter. I am a big fan of Christmas, though, but not so much a fan of the political correctness that threatens every year to rain on the Santa Claus parade. You know what I mean: Happy Holidays, Season's Greetings, and Festivus for the Rest of Us. I understand that we want to be respectful, but why must this be at the cost of watering down the same traditions we are trying to re-

Before I go on at too much length, I want to propose a solution to the "happy holidays" problem. As an homage to Dickson CJC, I propose a two-stage process to avoid milquetoast messages of celebration at this particularly celebratory time of year. Instead of saying "happy holidays," which in my view disrespects all of the various festivals and feasts that end the year, wish your brothers and sisters the greetings of the culture you celebrate. So if you are Jewish, wish me Happy Hanukkah, and I'll hit you back with a Merry Christmas. This is stage one: the learning process. Instead of just throwing the greetings out there in place of a daily hello, have a listen to your friends, family and colleagues, and next year (this is stage two) REMEMBER what they said, so you can now wish them well in accordance with their own beliefs. So I can say

Happy Hanukkah to my buddy Timour, and he can wish me Merry Christmas.

I realise that this takes more work than just papering over it all with a "may the tidings of the season be with you" and hoping there is a season



that applies, but that is what Christmas, at least, is all about. And last time I checked, there weren't too

many religious holidays that time of year that don't emphasise good relations between good folks. A little effort could go a long way to making the world a better place—you know, peace on earth and all that jazz.

Think of the opportunities for learning. Instead of being offended at a Christmas Tree in the lobby, find out why it is important to some people, and share something about what is important to your particular faith. I am pretty sure that a "Celebration Candelabra" is as inaccurate a description of a menorah or a kinara as a "Holiday Tree" is of a Christmas Tree. It doesn't make sense to conflate Hanukkah and Kwanza, just because they both involve lighting candles, nor does it make sense to conflate Christmas and Pagan Yule celebrations, even if they both have a tradition involving trees.

Instead of a melting pot of holidays that don't reflect their true meaning, let's make that oh-so-Canadian tossed salad of festivals, and enjoy each one's unique characteristics—though our

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The Regina Manifesto

Adopted at First National Convention Held at Regina, Saskatchewan, July, 1933.

The CCF is a federation of organizations whose purpose is the establishment in Canada of a Co-operative Commonwealth in which the principle regulating production, distribution and exchange will be the supplying of human needs and not the making of profits.

We aim to replace the present capitalist system, with its inherent injustice and inhumanity, by a social order from which the domination

and exploitation of one class by another will be eliminated, in which economic planning will supersede unregulated private enterprise and competition, and in which genuine democratic self-government, based upon economic equality will be possible. The present order is marked by glaring inequalities of wealth and opportunity, by chaotic waste and instability; and in an age of plenty it condemns the great mass of the people to

poverty and insecurity. Power has become more and more concentrated into the hands of a small irresponsible minority of financiers and industrialists and to their predatory interests the majority are habitually sacrificed. When private profit is the main stimulus to economic effort, our society oscillates between periods of feverish prosperity in which the main benefits go to speculators and profiteers, and of catastrophic depression, in

which the common man's normal state of insecurity and hardship is accentuated. We believe that these evils can be removed only in a planned and socialized economy in which our natural resources and principal means of production and distribution are owned, controlled and operated by the people.

The new social order at which we aim is not one in which individuality will be crushed out by a system of regimentation. Nor shall we interfere with cultural rights of racial or religious minorities. What we seek is a proper collective organization of our economic resources such as will make possible a much greater degree of leisure and a much richer individual life for every citizen.

Redefining the issue: reducing racism to student politics

By STAVROULA PAPADOPOULOS (LAW II)

While reading Marianne Knai's article "Redefining Radicalism" in the Quid Novi two issues ago, I noticed how easily we lose sight of what actually matters in a debate. In fact, most articles referring to Dick Pound's comments that have since been published in the Quid focussed exclusively on how non-Aboriginal law students were affected, or how Pound himself was victimized. I think that reducing the repercussions and implications of Pound's comment to student politics is dismissive of those directly affected by them, namely the Aboriginal community.

All law students surely realize that it is possible to argue both sides of any contro-

versy. We can often justify the unjustifiable by redefining words, changing their connotations, or by finding new victims and redirecting the issue. The only thing I found more disturbing than Pound's comments was the fact that their racist nature was open to debate. This pseudo-debate is symptomatic of the marginalization of Aboriginal people. We have grown so accustomed to the discrimination against them that fail to take notice of it. What if Pound had said: we must not forget that, 400 years ago, women were uncivilized while men have always been sophisticated? Or what if he had said that, during the slave trade, Africans were a bunch of savages? How many articles would

have been written supporting those statements and redefining "uncivilized" and "savages" as neutral terms?

In essence, Pound's comments imply that Aboriginal people had no culture or civilization. This may have been unintentional and I believe there is room for forgiveness, but Pound's apology falls very short. Pound states that "un pays de sauvages" has "fallen out of favour now and [he] probably should have been more alert to the change in vocabulary." Although it was common for the Jesuits to describe First Nations people as "un pays de sauvages," doing so was just as racist then as it is now. The problem is not that the term has fallen out of

favour; the problem is the perception of First Nations people as inferior which allowed for the term to be used in the first place.

Many anthropologists and archaeologists have debunked the myth of "un pays de sauvages" (see for instance: "1491: New Revelations of the Americas Before Columbus," by Charles Mann). To continue to make comments which imply that Europeans settled an uninhabited wilderness or terra nullius is both ignorant and derogatory. There is something fundamentally racist about imposing a Eurocentric notion of civilization onto other cultures. Why were the boots worn by Europeans more sophisticated than moccasins? How can we claim to be objective in categorically stating that European technologies were superior to Aboriginal technologies when the English sailor John Smith noted that their guns

could not shoot as far as an arrow could fly? Different cultures have adapted to their socio-economic and environmental realities in different ways, without one culture being superior to the other.

Pound's comments were also problematic because they were made in response to whether the Olympic Games should have been staged in China despite its poor human rights record. Using China's "5,000-year-old civilization" as a defence for human rights violations is a dangerous way of reasoning, partic-

ularly when considering that residential schools were created in an effort to "civilize" First Nations people. In fact, in their efforts to spread civilization, European practices in the Americas lead to what Dr. David Stannard has called "the most massive act of genocide in the history of the world." The Truth Commission into Genocide in Canada has called residential schools "the death camps of the Canadian Holocaust, and within their walls nearly one-half of all aboriginal children sent there by law died, or disappeared, according to the government's own statis-

tics." With the last residential school closing only ten years ago, reconciliation efforts are still precarious. Referring to the victims' ancestors as "savages" demeans their heritage and identity and adds insult to injury.

Placing the comments within the broader Canadian context, it is not surprising that B.C. Premier Gordon Campbell had originally called for Pound's resignation from the board governing the 2010 Winter Olympics. Some members of the McGill community have asked Pound to resign from his position as

Chancellor of the university. In her article, Knai speaks greatly about student solidarity, saying Radlaw members lacked such solidarity when dealing with MESLA. But solidarity goes beyond patting a fellow student on the back. What about solidarity with Aboriginal students and the Aboriginal community at large? Solidarity sometimes requires putting aside individual desires and short-term goals and seeing beyond personal comfort. Solidarity is about coming together to stand for the rights of all people, even if the "war" isn't really ours.

That's Merry Christmas to you, friend.

by JOHN LOFRANCO (LAW II)

The Christmas season is almost upon us. But say that to some people, and you'll probably be met with condescending glowers and a holier than thou (or is that unholy than thou) correction: "holiday season." I am not an adherent to any major world religion anymore, though culturally, I remain a Christian. I am what they call a C&E Catholic (Christmas and Easter), and to be honest, there's not much Easter. I am a big fan of Christmas, though, but not so much a fan of the political correctness that threatens every year to rain on the Santa Claus parade. You know what I mean: Happy Holidays, Season's Greetings, and Festivus for the Rest of Us. I understand that we want to be respectful, but why must this be at the cost of watering down the same traditions we are trying to re-

Before I go on at too much length, I want to propose a solution to the "happy holidays" problem. As an homage to Dickson CJC, I propose a two-stage process to avoid milquetoast messages of celebration at this particularly celebratory time of year. Instead of saying "happy holidays," which in my view disrespects all of the various festivals and feasts that end the year, wish your brothers and sisters the greetings of the culture you celebrate. So if you are Jewish, wish me Happy Hanukkah, and I'll hit you back with a Merry Christmas. This is stage one: the learning process. Instead of just throwing the greetings out there in place of a daily hello, have a listen to your friends, family and colleagues, and next year (this is stage two) REMEMBER what they said, so you can now wish them well in accordance with their own beliefs. So I can say

Happy Hanukkah to my buddy Timour, and he can wish me Merry Christmas.

I realise that this takes more work than just papering over it all with a "may the tidings of the season be with you" and hoping there is a season



that applies, but that is what Christmas, at least, is all about. And last time I checked, there weren't too

many religious holidays that time of year that don't emphasise good relations between good folks. A little effort could go a long way to making the world a better place—you know, peace on earth and all that jazz.

Think of the opportunities for learning. Instead of being offended at a Christmas Tree in the lobby, find out why it is important to some people, and share something about what is important to your particular faith. I am pretty sure that a "Celebration Candelabra" is as inaccurate a description of a menorah or a kinara as a "Holiday Tree" is of a Christmas Tree. It doesn't make sense to conflate Hanukkah and Kwanza, just because they both involve lighting candles, nor does it make sense to conflate Christmas and Pagan Yule celebrations, even if they both have a tradition involving trees.

Instead of a melting pot of holidays that don't reflect their true meaning, let's make that oh-so-Canadian tossed salad of festivals, and enjoy each one's unique characteristics—though our

friends and neighbours who celebrate them. We might find (or remember) how similar they are, but that doesn't mean they are the same. Eid al-Adha has fallen in December for the past couple of years, though it will continue to move earlier in the year. This Muslim festival celebrates Abraham's sacrifice of his child Isaac (a story that also figures in the Jewish tradition). Winter Solstice (and even referring to Solstice is a bit of a misnomer, as there are numerous celebrations around the world focused on this mid-winter day) celebrates the longest night—a good time for candles (metaphors of light: hello Hanukkah and Kwanzaa). Christmas is the birthday of little baby Jesus (as my parish priest would say), who is said to have brought a "light" of his own into the world. Whatever your beliefs, it's a good time of year.

So this year, instead of walking on eggshells and throwing a shade over the light of the season, shine your own light, whatever it is, and do some reading by the light of others. And if you don't have a particular faith, or holiday, while I can't speak for all Christians (see C&E above), I don't mind if you take Christmas as your own. After all, I'm pretty sure we get the most presents. Merry Christmas, everyone!

Obama's War of Ideas: A New Opportunity in the War Against Terror

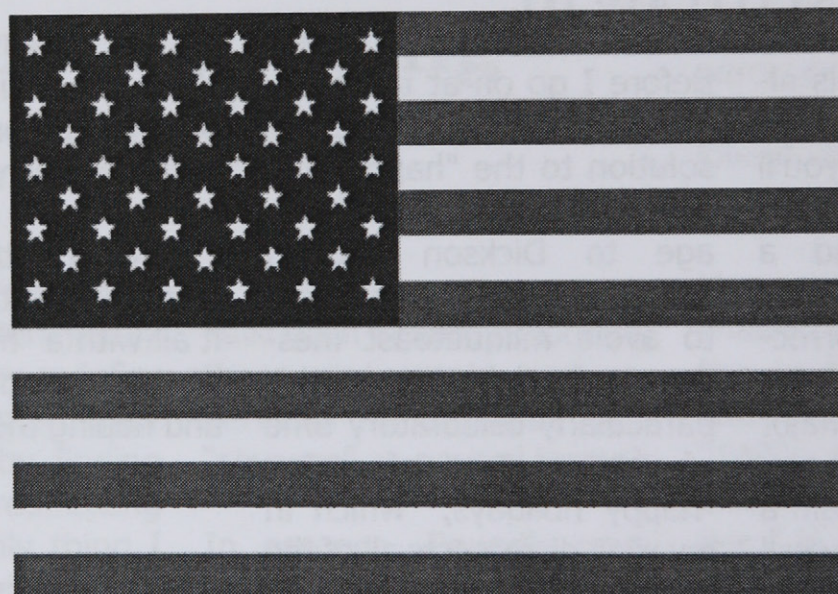
by ROBERT STEINMAN (LAW IV)

It occurred to me yesterday when I heard about the release of the latest tape by Bin-Laden's right hand Ayman Al-Zawahiri what a great opportunity the world now has given the recent election of Barack Obama. Zawahiri, in a move of considerable stupidity, racism and cowardice, called Obama a "house-slave" and spoke of how he is not a true black American, whereas Malcolm X should be the model for all African Americans (The Globe and Mail, November 20).

Besides the sheer ignorance about the diversity of the black community that this betrays, it also shows the true nature of those we are fighting. Zawahiri represents a miniscule fraction of Muslims who not only hate the idea behind America, but also hate progress and moderates all over the world. They wholly reject modernity (though use its benefits to spread their ugly message). This is not a new idea. In a book called *Terror and Liberalism*, Paul Berman argues that *Al-Qaeda* and its allies represent a clear progression from Fascism, Nazism and Stalinism.

While President George W. Bush talked a good game at

times about the war of ideas as part of the War Against Terror, he never lived up to the rhetoric. In fact, many US actions in the past several years—Guantanamo, Abu Ghraib, warrantless wiretapping—have had the effect of convincing a portion of those individuals we need to win over that the United States—and perhaps the west in general—hated the Islamic world.



With the election of President-elect Obama, who has railed against the aforementioned US mistakes (and will likely appoint an attorney general, Eric Holder, who has done the same), there is an opportunity to truly begin the war of ideas that Berman and others have so eloquently written about. The sheer fact that the son of an African man was elected President in a country that had slavery 150 years ago and segregation 50 years ago, is enough to quiet the

deepest cynic (though to be sure not enough racial progress has been made). Further, Michelle Obama, the descendant of African American slaves, will be the new first lady in January. This is not just symbolism, but a mark of the substantial progress the United States has made in the past 50 years.

Many explain that the root of *Al Qaeda's* philosophy is a critique of US policy in the Middle East. Do I accept that some have joined their ranks for that reason? Of course. Any rational person would accept that truism. But the true root of *Al Qaeda* is a desire to live in the past, to live in a world where Barack Obama could not be elected president. They would

wish to live in a world where Michelle Obama—or any woman at this Faculty—could not go to law school. This cannot be forgotten.

And so I will close with President-elect Obama's words from his victory speech on November 4. "To those who would tear this world down - we will defeat you." Thank you Mr. Zawahiri. Thank you for the reminder of why we are hunting you down.

Thankfully I'm not Prime Minister...

by MAX REED (LAW ?)

1. Preface

For the fortunate few who have not been besieged by Facebook invites, CBC and Magna run an annual contest called Canada's Next Great Prime Minister. At least one member of our Faculty made it to the semi-finals a few years ago and I'm sure a few more are entering this year. After a stint as a speechwriter on a campaign a few years ago, I thought I'd try my hand at writing my own words rather than someone else's. So I entered the contest in 2006.

To date, I have refused to show anyone the video I made of my speech, because I was more or less three sheets to the wind at the time. It was late at night, I slurred my words, mumbled my speech, and my lips were a deep shade of red. Perhaps unsurprisingly, the committee overlooked my obvious Irish charm and sent me what we refer to in law school parlance as a PFO. Nevertheless, I re-read the actual text the other day and am still kind of proud of what I wrote. So in the spirit of the election – not paper or exam – season, here it is. The facts are dated and the ideas plagiarized, but the issue remains of key importance and was pretty much ignored during the recent federal election campaign. I'm curious to get feedback. You can reach me at max.reed@mail.mcgill.ca. Bonne lecture!

2. Contest Entry

I spent the summer of 2004 lifeguarding at a pool in Toronto's Regent Park neighbourhood. For lunch every

day I would wander along the surrounding streets and I felt like I was walking through the different corners of the world, not just different parts of the same street.

It is in neighbourhoods like Regent Park, where people speak more than 70 languages and 60 % are recent newcomers, that Canada's tolerance is tested.

Canada's cities build respect and break down barriers.

Toronto, Montreal and Vancouver receive 75% of all of Canada's newcomers. More than half of the people who live in Toronto weren't born there. À Montréal, où je vis depuis quatre ans, les gens sont tellement à l'aise avec les barrières linguistiques *qu'ils think in English, mais ils parlent en français*.

At the pool it was incredible to see children of different backgrounds splashing each other equally. Yet during my lunchtime walks I was appalled to see the number of people who live in rundown houses, or worse, who have no homes at all.

Canada's cities are on the front lines in the war on poverty and homelessness.

Bridging this growing divide requires a strong economy that creates opportunity for all.

Canada's cities are the engines that drive our economy.

Our seven largest urban areas account for a staggering 45 % of our GNP and are

the cornerstones of competition in the knowledge economy.

The knowledge economy prioritizes creative jobs, which are green jobs.

Canada's cities are on the forefront of environmental sustainability.

Roughly one fifth of our greenhouse gas emissions come from cars on the road. As most Canadians will tell you, they don't like driving; they just don't have any alternative. The key to reducing greenhouse gas emissions and gridlock is proper public transit.

Canada's cities represent the future of our country, so why do we treat them as relics of the past?

They face 21st century challenges with 19th century resources. For too long federal and provincial governments gave cities many extra responsibilities, but not the means to implement them.

From 1993 to 2003, municipal revenue grew at a much slower rate than provincial and federal revenue, yet transfers from these governments decreased by 37 %. Canada is the only country in the western world without a national urban strategy.

As Prime Minister I would correct this error. I want to build a great country city by city through a national urban strategy called: A Partnership for Prosperity: the Future of Canada's Cities.

This strategy has four components:

1) To create a country where it doesn't matter if your last name is Reed, Repishti, or Resoso. We need a coordi-

nated strategy that harnesses all of the skills of newcomers to Canada. Under this approach, when someone settles in Canada they have centralized access to an array of jointly delivered services including housing, language training, skills evaluation, employment preparation, and mentorship.

2) To create a country where everyone has a roof over their head and a chance to realize their dreams, we need a national affordable home ownership program. Through a combination of tax breaks for private sector construction, no-interest mortgages, lease-to-own arrangements, and other incentives, this plan will promote affordable home ownership for disadvantaged Canadians.

3) To strengthen Canada's position in the knowledge economy we need to create an urban economic development strategy that strategically invests in key economic clusters, makes Canada a research pioneer, and ensures that every qualified Canadian gets an affordable post-secondary education.

4) To lead the fight against climate change I would increase the gas tax and transfer these revenues to cities to build proper public transit.

Right now Canada faces a tale of two types of cities. If we are foolish and do nothing to help our cities thrive our country will face the worst of times. But if we are wise and partner together for prosperous cities, Canada will enjoy the best of times.

Great cities make a great country. It's that simple.

Thank you.

Chers condisciples du droit

par MARGUERITE TINAWI (LAW IV)

Toutes mes excuses de vous avoir lâchement lâché deux semaines d'affilée. J'étais, comme vous l'aurez deviné, très occupée, notamment à préparer une présentation dont le thème a changé deux fois grâce à mes successives illuminations. J'en profite d'ailleurs pour remercier mes coéquipières, Ala et Bénédicte, qui ont su gérer à merveille mes sauts d'idées. Ceci étant dit, c'est bien beau de s'excuser, mais il n'en reste pas moins que vous, chers condisciples, vous avez été privé de ma plume pendant deux longues semaines. Je n'ose imaginer la montagne de dommages moraux que cela a dû vous causer, sans compter les immenses pertes de revenu pour le *Quid*, qui d'ailleurs était bien maigrichon la semaine dernière...

Étant une fille très prévoyante et qui plus est, inscrite dans un e*** séminaire sur les recours collectifs, je me suis dit qu'il valait mieux anticiper les conséquences fâcheuses de mes actes plutôt que d'attendre les démentis de mise (c'est ce qu'on appelle de la dyslexie révélatrice). Aussi, je vous offre de régler sur le champ. Comme ça, on s'épargne les dollars perdus en frais d'avocat, les délais qui se chiffrent en décennies, les juges en obiter... En plus, chers condisciples, je vous fais une offre en or. Écoutez ça : si vous renoncez à toute poursuite contre moi, je vous dévoile un SECRET TERRIBLE à propos de moi. Ha! Je savais que vous ne pourriez refuser pareille offre... Good, c'est un deal! Bon, là normalement, il faudrait faire approuver notre règlement

par un juge, mais moi je suggère qu'on saute le juge (honni soit qui mal y pense!), parce que *anyways*, il *rubber-stampera* notre règlement les yeux fermés.

Hmm... le problème, c'est que maintenant, faut que je vous le dise pour vrai, ce secret. Pas facile. Surtout que ça fait vraiment longtemps que je le porte en moi. C'est vrai : quelque part, c'est réconfortant, avoir un secret. On se sent unique, on a l'impression de vivre *undercover*. Ça met du piquant dans la vie! Pis c'est pas tout. Jusqu'à présent, lorsque vous me croisez dans les couloirs, vous voyiez une fille normale (bon, avec des cheveux frisés, mais ça c'est un *analogous ground* légitime). Cependant, du moment où vous aurez lu cet article, c'en est fini pour Marguerite La Normale. Devant vous, vous n'aurez nulle autre que Marguerite Ze Real. Vous aurez percé le mystère et je rejoindrai le commun des mortels... Doux Jésus, quel moment... Tant pis, *alea jacta est!* 1, 2, 3, go, j'y vais : J'AIME LA MUSIQUE CLASSIQUE!!!!

Fiou! C'est fait! Bon, vous allez me dire qu'y'a rien là, que c'est normal pour une fille qui a étudié dans un collège français, que là-bas on leur fait écouter ces affaires-là, qu'ils appellent ça de la Cûltûrrrrre avec un grand Cûl (décidemment, vous avez l'esprit très mal tourné aujourd'hui, chers lecteurs!)... Oui, mais l'affaire, c'est que dans mon cas, c'est pas de la culture, c'est une PASSION. Je répète et confirme : j'adore la musique classique.

J'en joue dans mes temps libres, j'en écoute à la radio (oui, oui, j'écoute CJPX 99.5, la radio de vos grands-mères), je vais à des concerts (avec vos grands-mères), je suis abonnée à l'Opéra de Mourrial, j'ai chanté dans trois chorales, j'achète des CDs, je connais personnellement des musiciens, et comble du comble... je fais du prosélytisme : j'enseigne la théorie musicale à des kids de 10-12 ans! Je sais, je sais, ils sont jeunes, innocents... Mais c'est vraiment plus fort que moi!

À vrai dire, la musique classique, c'est ma dépendance. Chaque jour, j'ai besoin de ma dose. Récemment, j'ai trouvé un nouveau *spot* pour m'approvisionner. La Faculté de musique. Ouais, celle avec le nom bizarre. Chou quelque chose. Peu importe. De loin, elle n'a rien de spécial, cette faculté. Mais plus je m'en approche, plus je deviens *high*. Déjà, sur les marches de l'entrée, y'a des flopees d'étudiants, habits colorés, cheveux longs et grandes caisses dans le dos.... Ouh... ça sent l'instrument... Justement, d'une des fenêtres du vieux bâtiment s'échappe le son d'un tambour. Audiblement, le percussionniste répète depuis dix minutes le même foutu rythme... Mais chers condisciples, tenez-vous bien : ce mec, il bat en tempo! Autrement plus cool que les toc toc toc de nos batteurs du troisième étage au NCDH...

Le meilleur, c'est quand j'arrive dans la bibliothèque de ladite faculté. À ma gauche, dans une vitrine, un superbe

violon en or. Ok, il n'est peut-être pas en or pur. À tout le moins est-il doré... De toute façon, c'est toujours mieux que nos pauvres trophées de *moot* qui prennent de la poussière dans le recoin le plus absurde de la faculté. Non mais sans blague, faut vraiment croire qu'ils n'avaient pas de place ailleurs, parce que c'est qui le génie qui a décidé d'exposer les lauriers de la faculté entre les toilettes et le garage, hein?! Voyons, Marguerite, tu t'égares... C'est bon, je reviens, je monte les escaliers de la bibliothèque de musique et je tombe sur les ordinateurs, chacun doté de deux claviers : un pour les lettres (keyboard) et un pour les notes (fingerboard)! Je me demande si les étudiants en musique prennent leurs notes de cours sur un clavier musical... Malheureusement, le type à côté de moi ne semble pas pouvoir répondre à ma question, il recopie consciencieusement des lettres en hébreux. Voilà cependant qu'un pote vient le rejoindre. Dans les mains du pote, une énorme enveloppe brune. En grande pompe, le pote extrait de l'enveloppe une tout aussi grande partition. Le titre est en hébreux, alors impossible d'en savoir plus. Par contre, le contenu, c'est des notes, et ça je connais. Vu leur allure (et leur densité!), je comprends qu'elles ne sont pas du père Bach mais plutôt du pote lui-même. D'ailleurs, mon voisin, penché sur la partition, semble féliciter le pote. Tout à coup, il se redresse et commence à mimer une trompette. FORT. Comme ça, en plein milieu de la bibliothèque. Personne ne se retourne. Personne ne renforce ses bouchons d'oreille. Personne ne fait « chut ». Ici, le son est chez soi. Et moi j'ai atteint mon *buzz*. Je

Quid List

BROUGHT TO YOU FROM PUBLIC INTERNATIONAL LAW

by LAURA EASTON (LAW II)

I apologise to all those who requested a poem. Sadly, I'm spent. This is all I've got. Please allow any humorous conversations we've had (or embarrassing stories you've heard about me) to colour your reading of this small list of requests (and by that I mean 'rose-coloured glasses'-colour). Consider this my Exam Wishlist; considering how well behaved I've been all year, I expect you to fulfil all of them!

1. Please treat your fellow classmates with more respect. Always give the other person the benefit of the doubt. After you've discussed the issue-at-hand with the person, then I suppose you're entitled to make them the nasty subject of your facebook status. But know that the rest of us are entitled to think you're a jackass.

2. Please quit looking at me with disdain for playing Settlers of Catan online during class. Reading CNN and BBC in class may mean you're well-read, but we're both equally inattentive law students. Plus, if we ever end up with several others on a deserted island, my extensive experience in trade and resource-based economies is going to go a lot further than your fancy words.

3. Please don't tell me how productive your weekend was. Unless it's productivity in debauchery, I don't care. I don't need you making me feel guilty about not writing my own summaries. I'd be

happy to discuss study tactics with you in January over Bs... yours a disappointment and mine a roaring success.

4. Please stop sighing and page-turning with extra-oomph. We all know you're sick of reading. We sympathize. But you're pissing us off. This goes doubly for exams.

5. Please clean up after yourself. I am spiteful and will be more than happy to tattle the next time I see you eating in the library. And if you think they don't take those complaints seriously, talk to Emily Kaufer.

6. Please don't be mistaken in thinking that "saving" your library spot early in the morning means you can go down to the atrium for two hours in the afternoon and expect your spot when you're back. I will be happy to move your crap in order to possess your prior spot while reading property.

7. Please don't complain about how poorly you're going to do when you have pubdocs on your side. If your class doesn't have a summary, you should've switched sections/courses like the rest of us slackers.

8. Please stop complaining about SNAILS in the library. Sadly there is no actual policy against this. You'll have to solve your problems the old-fashioned way. Challenge them to a snowball fight – then facewash them like the

sleazy law student you ought to have become by now. What if there's no snow? Stop wasting your time with so many "what ifs", and instead ask only "WWCND"-What Would Chuck Norris Do?

9. Please don't take yourself –or law school –so seriously. In the words of Carrie's momma, "they're all gonna laugh at you." And so you're aware, I fully intend on showing up to the faculty in sweatpants, unshowered, with no makeup. I tell you this now because last year it was met with "are you alright?", "what's the matter" and "do you need someone to talk to?" This is actually just how I look. You'll learn to live with it –I have.

10. Please quit talking to me about faculty politics and club gossip. I am (as always) willing to hear any academic concerns you wish to bring before administration. That said, all conversations with me on a personal level (LSA are people too), will be restricted to the following topics for the remainder of 2008 (with a possibility for extension).

- Gossip Girl (minus Vanessa – so last season)
- Alex-Izzy-Denny
- your casual (non-) relationships
- food and drink
- holiday traditions (of a commercial nature)
- hot staff and students (though any reproductions of conversations must be censored to exclude all law talk)

- hair and clothing (restricted to shoes, hats & hoodies)
- snow & sports
- that's-what-she-said classics
- Rachel's mom



Continué de p. 16

souris à mes voisins comme pour les remercier, plie bagage et sort en chantonnant.

*** tient lieu de l'adjectif que j'allais accoler au substantif « séminaire », mais vu que je n'ai pas encore reçu ma note finale, je ne voudrais surtout pas qu'on m'accuse de manœuvres illégales (ou du moins, peu morales...) auprès de notre prof (D. Jutras, pour les curieux). Le seul *hint* que je peux vous donner, c'est que c'est un adjectif qui commence par la lettre « e » et qui contient un « x »... comme dans « excellent »... ou « exécration »!

(cont'd from page 1)

the firms are the ones who didn't send the information to McGill before that.

So, that is what I did. I applied for an articling position to the three "big" firms out East and went to Toronto for two interviews (the third firm didn't give me an interview because you were supposed to apply online on their website – something I was not told to do). My day started off with waking up at 5:00am to catch the 6:45am train to Toronto, a five hour train ride with the worst internet access ever. I then arrived in Toronto at 11:40am, and then I made my way to the UofT Law Library by 1:30pm for my first interview, then 2:10pm for my second. Once that was over, I went back to the metro and made my way back to the train station for my 5pm train home. Twelve hours of traveling for two 20 minute interviews for articling in Nova Scotia. Yep. Hopefully I'll be working in Halifax (or at least get an A

for effort!).

During one of my interviews, I asked them when I would get a call back for a second interview (if there was one) and you know what they said? "Oh, by Christmas." CHRISTMAS!!! And get this, for a possible second interview in... the first week of February. FEBRUARY!!! Are you serious? But my friends who got jobs in New York and Toronto found out much sooner and everything was said and done within a month. So... let me get this straight... interview mid-November, call back mid-December and second interview beginning of February? So, almost three months... ok...

Then I spoke to another firm and they told me the same thing except that I would know by the end of that week if I had that second interview...not bad, very reasonable – I have like a two day wait...ok that works. I felt a little more comfortable with this firm so I asked them, "if it's in

February, why are you interviewing over here in November?" They kindly responded by saying that it was the University of Toronto who set the rules and mid-November is JUST after Toronto recruitment. It made so much sense now – the East Coast can get all the Toronto rejects. But you know what, that's ok...that is UofT.

UNB and Dalhousie actually have their OCIs with these firms at the end of January and have call backs the same week with second interviews the week after. SEE – this makes more sense!

It would be nice if there could be East Coast recruitment for McGill for the following reasons:

- 1) All the attention will be on those firms because they will actually be here (they could even throw in a coffeehouse or something)
- 2) Both the firms and McGill can decide a time for OCIs that works for both

3) Perhaps more people would apply to the east coast if they didn't have to go to Toronto, spend 10-12 hours travelling, and cover the expensive travel fare as well

All in all, I think that it is unfortunate that we forget about the Maritimes too. There are many students who are from there and/or are thinking about working there. First interviews (OCIs) should be here in Montreal so that they are more financially and physically affordable for those interested. Because right now, these firms are so far removed from us, we end up "forgetting" about them too.

This rant is over now.

P.S. Good luck on exams everyone and see you in the New Year!

Lawmerick

By COURTNEY RETTER (LAW I)

**I am scared of the number six
I have been downing on it with some chicks.
While the world may have been created in six days,
I still have no idea how I am going to play,
The tort take-home examminatrix.**



Matteo



WEEKLY LUNCH MENU for the LAW FACULTY: EFFECTIVE MONDAY November 24, 2008

<u>MONDAY</u>	<ul style="list-style-type: none"> • Italian Sausage • Pasta • ½ Pizza, ½ Pasta dish 	\$5.75
<u>TUESDAY</u>	<ul style="list-style-type: none"> • Chicken Quesadillas • Pasta • ½ Pizza, ½ Pasta dish 	\$5.75
<u>WEDNESDAY</u>	<ul style="list-style-type: none"> • Chilli • Pasta • ½ Pizza, ½ Pasta dish 	\$5.75
<u>THURSDAY</u>	<ul style="list-style-type: none"> • Vol au Vent Seafood • Pasta • ½ Pizza, ½ Pasta dish 	\$5.75
<u>FRIDAY</u>	<ul style="list-style-type: none"> • Club Sandwich • Lasagna • ½ Pizza, ½ Pasta dish 	5.75

On behalf of the Quid Crew, we would like to take this opportunity to wish everyone the best of luck on December exams. Have a relaxing holiday break and we cannot wait to hear from you all again in 2009. Thank-you so much to this year's contributors for making the first four issues such a tremendous success!

